

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DIVISION OF MISSISSIPPI  
SOUTHERN DIVISION**

MAGGIE RUSSELL,

*Plaintiff,*

Case No. :1:22-cv-00086-TBM-RPM

v.

MISSISSIPPI GULF COAST  
COMMUNITY COLLEGE through its  
Board of Trustees (in their official and individual  
Capacities) and DOES 1-20, inclusive,

*Defendants.*

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**PLAINTIFF’S NOTICE OF RULE 30(b)(6) DEPOSITION**

TO: MISSISSIPPI GULF COAST COMMUNITY COLLEGE (“MGCCC”)

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*Attorneys for Defendant Mississippi Gulf Coast Community College*

PLEASE TAKE NOTICE that pursuant to Fed. R. Civ. P. 26 and Fed. R. Civ. P. 30(b)(6), Plaintiff, by and through their undersigned attorneys, will take the recorded oral deposition of Grand Canyon University's ("GCU") representative(s) on **March 29, 2023 beginning at 3:00 pm (CDT) at the office of Daniel Coker Horton & Bell, P.A., located at 1712 15th Street, Suite 400, Gulfport, Mississippi 39501.** Pursuant to Fed. R. Civ. P. 30(b)(6), GCU shall designate and produce a designated representative or representatives, as may be required, to testify on behalf of GCU concerning the topics identified in *Exhibit A*, attached hereto. Pursuant to Fed. R. Civ. P. (30)(b)(2), GCU shall produce the documents that relate to the topics set out in *Exhibit A* attached hereto.

The deposition will be taken before a person authorized by law to administer oaths, pursuant to Fed. R. Civ. P. 28, and will continue from day-to-day, excluding Sundays and court-recognized holidays, until the examination is completed.

Dated: March 8, 2023

Respectfully Submitted,

/s/ Keith Altman

Keith Altman, Esq. (*pro hac vice*)

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*Attorney for Plaintiff*

## **EXHIBIT A**

### **Definitions**

The following definitions apply to this Notice of Deposition, including those matters set forth in Exhibit A hereto, and are deemed to be incorporated into each subject and request for documents listed below:

1. “Identify” or “identity” with respect to persons, means to give, to the extent known, the person’s full name, present or last known address, and when referring to a natural person, additionally, the present or last known place of employment.

2. “MGCCC” “You,” or “Your” refers to the defendant MISSISSIPPI GULF COAST COMMUNITY COLLEGE and all partners, directors, officers, employees, servants, agents, attorneys, joint ventures, or other representatives, including all corporations and entities affiliated with MGCCC. The terms shall also include all predecessor business entities, as well as any predecessor's partners, directors, officers, employees, servants, agents, joint ventures, or others acting on their behalf. The terms shall also include all foreign subsidiaries or foreign parent companies, as well as any foreign subsidiaries' or parent companies' partners, directors, officers, employees, servants, agents, joint ventures or others acting on their behalf.

3. “Plaintiff” means Maggie Russell.

4. “Person” means natural person, as well as corporate and/or governmental entity.

5. “Relating to,” “relate to,” “referring to,” “refer to,” “reflecting,” “reflect,” “with regard to,” “pertaining to,” “concerning,” or “concern” shall mean evidencing, regarding, concerning, discussing, embodying, describing, summarizing, containing, constituting, showing, mentioning, reflecting, dealing with, relating to, referring to in any way or manner, or in any way logically or factually, connecting with the matter described in that paragraph of these demands, including documents attached to or used in the preparation of or concerning the preparation of the documents.

6. “Documents” as used in this Request is coextensive with the meaning of the terms “documents” and “tangible things” in FRCP 34, and shall have the broadest possible meaning and interpretation ascribed to the terms “documents” and “tangible things” under FRCP 34.

7. "Or" and "and" will be used interchangeably.

8. The term “Resolution Agreement” shall refer the document produced by Plaintiff as Russell 0111 – 0113.

8. Unless otherwise indicated, the relevant time period for the information sought is **January 1, 2015 to present**.

9. The term “Complaint” shall mean the Complaint filed in the above-

captioned action, Case No. 1:22-cv-002086-TBM-RPM, on April 11, 2022.

**Deposition Subject Matter**

Pursuant to Rule 30(b)(6), MGCCC shall designate and produce for deposition one or more of its officers, directors, managing agents, or other persons who consent to testify on its behalf concerning the following subject matters:

1. MGCCC's Policies, rules, regulations, procedures, protocols, guidelines, standards, training manuals, instructions, pamphlets, promotional materials, and/or any other written material regarding its admissions process.

2. MGCCC's Policies, rules, regulations, procedures, protocols, guidelines, standards, training manuals, instructions, pamphlets, promotional materials, and/or any other written material regarding the handling of students with disabilities.

3. MGCCC's Policies, rules, regulations, procedures, protocols, guidelines, standards, training manuals, instructions, pamphlets, promotional materials, and/or any other written material regarding the handling of any and all complaints made by students and/or the parent or guardian of a student concerning disabilities and/or accommodations for said disabilities.

4. MGCCC's Policies, rules, regulations, procedures, protocols, guidelines, standards, training manuals, instructions, pamphlets, promotional materials, and/or any other written material regarding the handling of any and all

accommodations for students with disabilities.

- a. How it is determined if any and/or what alternative courses may be offered;
- b. How it is determined if a course may be waived; and
- c. How it is determined what, if any, additional learning aids a student may utilize (i.e. a proctor, calculator, paper, pencil, note usage, visual aids, reattempts for testing)

5. The identities of the MGCCC employees that were directly involved in Plaintiff's disability accommodation decisions as referenced in the Complaint.

6. MGCCC's administrative structure.

- a. Administrative structure of MGCCC's Dean's Office;
- b. Administrative structure of MGCCC's Enrollment Services Office;
- c. Administrative structure of MGCCC's Mathematics Department;
- d. Administrative structure of MGCCC's Graduation Application Office; and
- e. Administrative structure of MGCCC's office that handles student disability services.

7. MGCCC's employees or representatives who negotiated with and made the "Resolution Agreement" with the U.S. Department of Education's Office of Civil Rights ("OCR") pertaining to Plaintiff.

8. Identities of the representatives of the OCR who negotiated with and made the "Resolution Agreement" with MGCCC pertaining to Plaintiff.

9. Process by which MGCCC considered a Plaintiff's disability when concerns were raised to its administration by the student and her parent regarding the MGCCC's Algebra course graduation requirement.

10. How MGCCC considered Plaintiff's disabilities when deciding to deny Plaintiff's proposed accommodation requests concerning required Algebra courses.

11. Details of accommodations MGCCC has offered to other students pertaining to its Algebra course requirement with the same or similar disabilities as Plaintiff.

12. MGCCC's Policies, rules, regulations, procedures, protocols, guidelines, standards, training manuals, instructions, pamphlets, promotional materials, and/or any other written material regarding how it is determined if a student is eligible for graduation for a Degree in Fine Arts.

### **Request for Documents**

1. All documents referred to by the Deponent(s) or anyone assisting Deponent(s) in preparing for his or her testimony on the above deposition topics.

**CERTIFICATE OF SERVICE**

I, the undersigned, of counsel for Plaintiff, do hereby certify that on this 8<sup>th</sup> day of March 2023, I electronically filed the foregoing *Notice of Rule 30 (b)(6) Deposition* with the Clerk of the Court using the CM/ECF system which will send notification to all counsel of record.

/s/ Keith Altman  
Keith Altman, Esq.  
*Attorney for Plaintiff*